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Letter dated 19 May 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter addressed to you by Salim El-Hoss, President of the Council of Ministers of the Republic of Lebanon, which I have been requested to forward to you (see annex).

The enclosed letter is being sent pursuant to the three letters previously forwarded on the subject of the Shebaa Farms.

I further have the honour to kindly request that the enclosed letter be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council, as an addendum to document A/54/870/S/2000/433.

(*Signed*) Selim **Tadmoury**
Ambassador
Permanent Representative

00-43978 (E) 230500

Annex to the letter dated 19 May 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

[Original: Arabic]

Beirut, 19 May 2000

Further to our memorandum dated 12 May 2000 and our letter dated 15 May 2000 addressed to you, both concerning Lebanon's position with respect to the Shab`a farmlands, we are transmitting to you herewith the following supplementary documents:

1. A minute by the Lebanese Ministry of Foreign Affairs dealing with the issue of the Shab`a farmlands and citing excerpts from the report (No. 605 of 12 September 1961) of the Lebanese-Syrian special commission that considered the situation along the Lebanese-Syrian boundaries at a meeting held in Quneitrah on 8 September 1961.

2. A communication from the Lebanese Republic's Financial Directorate dated 15 November 1946 reproducing the text of Syrian Ministry of Foreign Affairs note verbale No. 574 (124) 53 of 29 September 1946 addressed to the Lebanese Ministry of Foreign Affairs, to which reference is made in Lebanon's memorandum dated 12 May 2000 addressed to you.

3. Note verbale No. Q 72 (53/325) dated 29 January 1947 from the Syrian Ministry of Foreign Affairs addressed to the Lebanese Ministry of Foreign Affairs providing clarifications from the Syrian Government with regard to a survey of certain Lebanese farmlands in Shab`a.

4. A letter dated 7 March 1947 transmitting a copy of the aforesaid Syrian note verbale from the Lebanese Minister for Foreign Affairs to the Lebanese Minister of Finance and, on 12 March 1947, from him to the Lebanese Land Registration Services for their information.

The above conveys the confirmation of the Syrian Ministry of Foreign Affairs to the Lebanese Ministry of Foreign Affairs that the farmlands in question are Lebanese, that the placement of some triangulation markers inside Lebanese territory bears no relation to the delimitation of the international boundaries and that the establishment of the inter-country triangulation network was a purely technical operation that had not been carried out with the intention of modifying the boundaries or incorporating the Shab`a farmlands into Syrian territory.

5. Memorandum No. 281 dated 3 April 1944 from the Director for Land Registration Services addressed to the magistrate for land issues and Lebanese delegate to the boundary commission objecting to the fact that teams from the Survey of Syria had surveyed the Mughr al-Shaba`inah area belonging to the Lebanese village of Shab`a.

6. Memorandum No. 1503 dated 27 September 1946 from the Director for Land Registration Services in Lebanon concerning the boundaries of Shab`a and its dependent farmlands and their inclusion in a cadastral survey by teams from the Survey of Syria.

We draw your attention to the fact that all of these objections were raised in the 1940s and that the work of the joint boundary commissions in the 1960s (the

subject of documents previously submitted) led to a definitive agreement that the Shab'a farmlands within their cadastral boundaries regarded as international should be considered as Lebanese.

(*Signed*) Sélim **El-Hoss**
Prime Minister
Minister for Foreign Affairs

Document No. 1

Lebanese Republic

Ministry of Foreign and Emigrant Affairs

Subject: The issue of the Shab`a farmlands

On 10 October 1961 there arrived from the Ministry of Foreign Affairs the report (No. 605 of 12 September 1961) of the Lebanese-Syrian special commission that considered the situation along the Lebanese-Syrian boundaries at a meeting held in Quneitrah on 8 September 1961 following the modifications made and the differences that had arisen between the inhabitants of Shab`a and the Syrian security forces. In the report drawn up by the commission, it is stated that the discussion dealt with the issue of the following Shab`a farmsteads: Zibdin, Fashkul, Qaraf, Rab`ah, Kafr Durah, Marah al-Malul, Jarat Qafwah, Khallat al-Ghazal, Ramta, Bayt al-Buraq, Barakhta and Jawzat al-Aqarib. All of their inhabitants are Lebanese, and they are owned by Lebanese. They were included inside Syrian territory because of a mistake made in printing the map used by the Syrian side as a basis for discussion.

The two magistrates for land issues, Mr. Adnan al-Khatib (Syria) and Mr. Rafiq al-Ghazzawi (Lebanon), who were entrusted with the delimitation of the boundaries, also stated in their reports that the farmlands fell inside Lebanese territory. It should be recalled that in its note No. 2733/S of 9 August 1948, the Ministry of Foreign and Emigrant Affairs had indicated that commission I for delimitation and drafting in the Golan (Quneitrah District) had included a number of farmsteads belonging to the Lebanese village of Shab`a within the purview of its work. The Ministry had protested against the fact that the commission had communicated directly with the *mukhtar* of the village, and it had drawn the attention of the Syrian authorities to the fact that the terms of article 10 of decision No. 186 of 15 March 1926 did not permit the commission to include Lebanese farmsteads within the purview of its work.

The Syrian Ministry of Foreign Affairs responded to the Lebanese note by saying that the commission's action had been "a purely technical operation that had not been carried out with the intention of modifying the boundaries or incorporating farmlands, but it is something both countries need and produces no legal effect" (Syrian Foreign Ministry note No. Q 574 (53/124) of 29 September 1946).

Document No. 2

Lebanese Republic

Financial Directorate

No.: 574 (124) 53

29 September 1946

Issues of delimitation and drafting

The Syrian Ministry of Foreign Affairs presents its compliments to the Lebanese Ministry of Foreign Affairs and, with reference to the Ministry's letter No. 2723/S of 13 August 1946 concerning the work of commission I for delimitation and drafting in the Golan (from Quneitrah District), has the honour to communicate to the Ministry of the information conveyed to it by the competent services to the effect that the dispute that had existed concerning the boundaries of the Lebanese village of Shab`a and the Syrian village of Mughr al-Shab`ah was settled some time ago but that the Syrian triangulation team had placed markers inside Lebanese territory in order to connect up the inter-country triangulation network. This was a purely technical operation that had not been carried out with the intention of modifying the boundaries or incorporating farmlands, but it is something both countries need and produces no legal effect. The leader of the team in question had addressed a letter to the *mukhtar* of Shab`a requesting him to protect the markers because the inhabitants had removed some of them in the belief that they were related to the boundaries. The magistrate for land issues who is examining boundary questions has written to his Lebanese counterpart and requested him to inform the inhabitants accordingly, and he says that he has done so.

The Syrian Ministry of Foreign Affairs hopes that this will suffice to justify the actions of the demarcation and drafting commission in the Golan region, an explanation that it is unable to communicate directly to the Shab`a village *mukhtar*, and it takes this opportunity to convey the assurances of its highest consideration.

Ministry of Foreign Affairs
Beirut

Copy to be transmitted to the Director, Land Registration Services, further to our referral No. 8224 dated 13 June 1946, for information and comment. With respect.

[*Stamp*]
[*Illegible*]
Date: 18 November 1946
No.: 2438

Beirut, 15 November 1946
(*Signed*) [*Illegible*]
Minister of Finance

Document No. 3

Q 72 (53/325)

29 January 1947

Survey of certain farmlands

The Syrian Ministry of Foreign Affairs presents its compliments to the Lebanese Ministry of Foreign Affairs and, in reply to its note No. 6979 dated 10 December 1946 concerning the survey of certain Lebanese farmlands as part of Syrian territory, has the honour to inform the Ministry that the magistrate for land issues in Damascus has replied to the effect that the markers placed inside Lebanese territory are no more than triangulation points, that they bear no relation whatever to the delimitation of the international boundaries and that their presence is necessary from the technical point of view for survey purposes. Indeed, Lebanese survey teams have also placed such markers inside Syrian territory.

The Syrian Ministry of Foreign Affairs, having transmitted to its esteemed counterpart the answer received from the services concerned, takes this opportunity to convey to it the assurances of its highest consideration.

Ministry of Foreign Affairs
Beirut

[*Stamp*]
[*Illegible*]

Document No. 4

Lebanese Republic

Ministry of Foreign Affairs

Consular Section

No.: 1165/Q

Subject: Survey of certain Lebanese farmlands as part of Syrian territory

To: His Excellency the Minister of Finance

Sir,

With regard to your referral No. M/17259 dated 19 November 1946, namely letter No. 1714 dated 11 November 1946 from the Director for Land Registration Services, I have the honour to transmit to you herewith a copy of Syrian Ministry of Foreign Affairs letter No. Q 72 (53/325) of 29 January 1947 concerning the survey of certain Lebanese farmlands as part of Syrian territory.

Accept, Sir, the assurances of my highest consideration.

Beirut, 7 March 1947

For the Minister for Foreign and Emigrant Affairs:

Signature: [Blank]

Copy to be transmitted to the Director, Land Registration Services, further to your letter No. 1714 of 11 November 1946, together with a copy of the aforesaid letter from the Syrian Ministry of Foreign Affairs. With regards.

[*Stamp*]
[*Illegible*]
Date: 13 March 1947
No.: 1181

Beirut, 17 [?] March 1947
(*Signed*) [*Illegible*]
Acting Minister of Finance

Document No. 5

Lebanese Republic

Land Registration Services

Beirut, 3 April 1944 No.: 281

Memorandum

To: His Honour Mr. Rafiq Bey al-Ghazzawi, magistrate for land issues and Lebanese delegate to the boundary commission

Sir,

Further to our referral No. 1010 dated 17 March 1944, we transmit to you herewith a report dated 30 March 1944 from His Honour the District Officer for Marj Uyun indicating that the Syrian delimitation and drafting commission is engaged in delimiting the Mughr al-Shaba`inah locality, which belongs to the Lebanese village of Shab`a, and that it is about to complete its work. In view of the importance of that work and the serious incidents to which it could give rise between the inhabitants of Shab`a and those of the neighbouring Syrian villages, I request you to contact your colleague the Syrian delegate immediately with a view to convening an urgent meeting to consider the issue and secure a result that will ensure the rights of the Lebanese property owners and to inform us of the outcome. With regards.

[*Illegible handwritten note*]

(*Signed*) [*Illegible*]
Director for Land Registration Services

Document No. 5 indicates that the Lebanese Land Registration Services raised an objection with the Lebanese magistrate for land issues, the Lebanese delegate to the commission on the boundaries with Syria, to the effect that teams from the Survey of Syria had surveyed the Mughr al-Shaba`inah area belonging to the Lebanese village of Shab`a. The above memorandum is dated 3 April 1944.

Document No. 6

Lebanese Republic

No.: 1503

To: His Honour the supernumerary magistrate for land issues

From time to time we receive communications from the directors of land registration offices in areas located along the Lebanese-Syrian boundaries complaining that the delimitation teams working inside Syrian territory and along the Lebanese boundaries are also delimiting certain Lebanese villages or plots of land as belonging to Syria. In order to avoid such complications, which may give rise to serious problems between the two countries, we deem it appropriate in connection with the issue of [*illegible*] the farmlands [*illegible*] to draw your attention to the procedure that must be followed in connection with this issue.

The boundaries separating Lebanon and Syria must be established with the participation of the delegates of the Syrian Government and with the assistance of the chief of the office of the Assistant Officer for Marj Uyun and the chief of technical survey operations and in accordance with the general map of Lebanon, establishing the boundaries between the two countries. They should be guided by the provisions of the treaty of good-neighbourliness and the map annexed thereto and by any document that may help to eliminate ambiguity in the delimitation of the boundaries.

Accordingly, the Syrian delimitation teams will be provided with a copy of the decision taken in this regard so that they may endeavour to implement it.

Received on 25 [*illegible*] 1946 Beirut, 27 September 1946
No.: 753

(*Signed*) [*Illegible*]
Director for Land Registration Services

Document No. 6, dated 27 September 1946, is from the Director for Land Registration services in Lebanon and concerns the boundaries of Shab`a and its farmlands in connection with the fact that teams from the Survey of Syria had included them in a cadastral survey. It should be noted that all of these objections were raised in the 1940s and that the work of the joint boundary commissions in the 1960s (the subject of documents previously submitted) led to a definitive agreement that the Shab`a farmlands within their cadastral boundaries regarded as international should be considered as Lebanese.